CLERK'S OFFICE U.S. DIS1. COURT AT ABINGDON, VA

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

MAY 17 2006

JOHN F/CORCORD / JUSTAN

VINCENT J. TOMLINSON,	DEPUTY GLERI
Plaintiff,	) Case No. 2:05CV00038
	) FINAL JUDGMENT
v.	)
	) By: James P. Jones
JO ANNE B. BARNHART,	) Chief United States District Judge
COMMISSIONER OF SOCIAL	
SECURITY,	)
	)
Defendant.	)

Based upon the court's de novo review of those portions of the magistrate judge's report and recommendations to which the plaintiff objected, and for the reasons stated in the opinion filed herewith, it is **ADJUDGED AND ORDERED** as follows:

- 1. The plaintiff's objections are overruled;
- 2. The magistrate judge's report and recommendations are accepted;
- 3. The motion for summary judgment by the Commissioner of Social Security ("Commissioner") is granted;
  - 4. The final decision of the Commissioner is affirmed; and
  - 5. The clerk is directed to close the case.

ENTER: May 17, 2006

Chief United States District Judge